STATEMENT
OF
THE HONORABLE BART STUPAK
SUBCOMMITTEE ON
OVERSIGHT AND INVESTIGATIONS
"SCIENCE UNDER SIEGE:
SCIENTIFIC INTEGRITY AT THE
ENVIRONMENTAL PROTECTION AGENCY"

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The mission of the U.S. Environmental Protection Agency is to protect human health and the environment. This mission is best accomplished by regulatory decisions based on reliable science. However, indications are that the Environmental Protection Agency (EPA) may instead be using selective science in regulatory decisions.

The purpose of our hearing is to review the apparent lack of scientific integrity in parts of the EPA. We will examine four specific examples: 1) a Union of Concerned Scientists report that found significant political interference in scientific work at the EPA; 2) the supposed "streamlining" of the Integrated Risk Information System ("IRIS") which actually makes it more difficult for EPA to publish scientific analyses on chemical risks; 3) the removal of Dr. Deborah Rice from a scientific peer review panel at the request of the chemical industry; and 4) the EPA's adoption of a since-discredited cleanup plan for the chemical toxaphene at a Hercules Superfund site near Brunswick, Georgia.

The Union of Concerned Scientists (UCS) conducted a study on political interference at the EPA. Scientists reported that they personally experienced political interference in the last five years and being directed to inappropriately exclude or alter technical information from EPA scientific documents. Scientists often identified the White House Office of Management and Budget as the primary source of external interference. The Union of Concerned Scientists' study paints a picture far from the open scientific debate that we should expect from a science-based regulatory agency.

The Integrated Risk Information System, or IRIS, is the U.S. government's catalog of the health effects of toxic chemicals. To have information placed into IRIS, EPA scientists carefully evaluate the science of each chemical and provide relevant data in the system. On April 10, 2008, the EPA instituted a new "streamlined" process for IRIS, which actually increases the number of steps in the evaluation process. Notably, the new process now requires approval by OMB at least twice prior to the final posting in IRIS. As expected, this new process will delay the reporting of chemical hazards and make it more difficult for EPA scientists to publish their data in IRIS.

Dr. Deborah Rice was invited by EPA to chair a 5-member peer review panel to update the IRIS assessment of the chemical "Deca", a flame retardant used on plastics and textiles. After the Deca peer review panel concluded their business and posted their final

comments, the EPA removed Dr. Rice from the panel and erased her comments from the report at the behest of the American Chemistry Council. Their reasons included the fact that Dr. Rice provided testimony to the Maine Legislature in her capacity as the Maine state toxicologist on their proposal to ban Deca. Dr. Rice was informed of this decision by telephone – she received no written explanation. It appears that Dr. Rice was removed from the peer review panel because she had expertise on the chemical in question and was asked to provide that expertise to a state legislature.

Toxaphene is an insecticide that was widely used in the U.S. on crops, fish, and livestock, before it was completely banned in 1990 due to health hazards. Brunswick, Georgia is home to the Hercules 009 landfill, a superfund site where toxaphene waste was dumped from 1975 to 1980. This superfund site abuts the local elementary school, and the community is concerned that toxaphene and its harmful breakdown products may persist at that site. Since the Hercules 009 became a superfund site in 1984, EPA continues to use an outdated, inaccurate scientific method to detect degraded toxaphene while other federal agencies, including the Agency for Toxic Substances and Disease Registry (ATSDR), the Army Corps of Engineers, and the EPA's Inspector General recommended use of the Negative Ion Mass Spectroscopy (N.I.M.S.) method as early as 2002. In addition, the EPA's method to clean up the Hercules 009 site is based on an article published in the journal, "Regulatory Toxicology and Pharmacology" which has been assailed by scientists as having an industry bias. In addition, it appears the Hercules Corporation has hired the Weinberg Group, a consulting firm under investigation by our Committee, to determine the toxicity of toxaphene. These actions paint a suspicious picture of questionable regulatory decision making.

Today we will be hearing from several witnesses. Our first panel will include Dr. Francesca Grifo of the Union of Concerned Scientists, who will discuss her organization's report, and John Stephenson of the Government Accountability Office, who will discuss GAO's recent report on the new IRIS changes.

Our second panel will include Dr. Deborah Rice, who will testify about her removal from the EPA peer-review panel, Dr. Jennifer Sass from the Natural Resources Defense Council, who will tell us how the new IRIS changes will affect environmental science, Daniel Parshley from the Glynn Environmental Coalition, to discuss issues at the Hercules Superfund Site, and Sharon Kneiss of the American Chemistry Council, who will testify about the ACC's role in the removal of Dr. Rice from the EPA's peer review panel.

Finally, we will hear from Marcus Peacock, Deputy Director, and George Gray, Ph.D., Assistant Administrator for Research and Development, Environmental Protection Agency.

I look forward to the testimony of each witness today. I believe today's testimony will show how the EPA has dangerously undermined the role of science in regulatory decision-making. This EPA under the Bush Administration appears to have put politics before science, to the harm of not just the environment, but to the fundamentals of

science. Science is not Republican or Democratic – it must be based on facts, and not political affiliation. I sincerely hope today's testimony will be taken seriously by the EPA and that they will work seriously to ensure that science will return to its proper role within the agency.